

Duty Judge Advocate, before searching.

(2) The owner or operator is present. This situation can occur during either a traffic or criminal incident, or if the operator is apprehended for a crime or serious traffic violation and sufficient probable cause exists to seize the vehicle. This situation could also arise during cases of intoxicated driving or traffic accidents in which the operator is present but incapacitated or otherwise unable to make adequate arrangements to safeguard the vehicle. If danger exists to the Military Police or public or if there is risk of loss or destruction of evidence, an investigative type search of the vehicle may be conducted without search authority.

(f) *Disposition of vehicles after impoundment.* (1) If a privately owned vehicle is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or law enforcement purpose exists. The vehicle must then be returned to the owner without delay unless directed otherwise by competent authority.

(2) If the vehicle is unclaimed after 45 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

- (i) Release to the lienholder, if known.
- (ii) Processed as abandoned property in accordance with DOD 4160.21-M.

APPENDIX A TO PART 636—REFERENCES

Publications and forms referenced in this part may be viewed at the Office of the Provost Marshall on any major Army installation or may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

In addition to the related publications listed in appendix A to part 634 of this subchapter, the following publications provide a source of additional information:

- FS Reg 190-7, Emergency Vehicle Operation
- FS Reg 350-1, Active Component Training
- FS Reg 385-14, Post Range Regulation
- FS Reg 755-2, Lost, Abandoned, or Unclaimed Privately Owned Personal Property

In addition to the prescribed forms used in appendix A to part 634 of this subchapter, the following forms should be used:

- AFZP Form Letter 316, Suspension of Driving Privileges
- DA Form 3946, Military Police Traffic Accident Report
- DA Form 3975, Military Police Report
- DD Form 1920, Alcohol Influence Report
- DD Form 2220, DOD Registered Vehicle
- DD Form 2504, Abandoned Vehicle Notice
- DD Form 2505, Abandoned Vehicle Removal Authorization
- DD Form 2506, Vehicle Impoundment Report
- DD Form 2507, Notice of Vehicle Impoundment

Other References

- 8 U.S.C. 13.
- 40 U.S.C. 318a.
- Memorandum of Understanding, Subject: Seizure of Assets for Administrative Forfeiture in Drug Related Cases.

APPENDIXES B-C TO PART 636
[RESERVED]

APPENDIX D TO PART 636—GLOSSARY

In addition to the terms listed in appendix D to part 634 of this subchapter, the following terms apply:

- ATV—All Terrain Vehicles
- CID—Criminal Investigation Division
- CUCV—Commercial Utility Cargo Vehicle
- DDC—Defensive Driving Course
- DOD—Department of Defense
- DPCA—Directorate of Personnel and Community Activities
- DUI—Driving Under the Influence
- DDC—Motorcycle Defensive Driving Course
- MP—Military Police
- NLT—Not later than
- USAREUR—United States Army—Europe

PART 637—MILITARY POLICE INVESTIGATION

Subpart A—Investigations

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- 637.1 General.
- 637.2 Use of MPI and DAC Detectives/Investigators.
- 637.3 Installation Commander.
- 637.4 Military Police and the USACIDC.
- 637.5 Off-post investigations.
- 637.6 Customs investigations.
- 637.7 Drug enforcement activities.
- 637.8 Identification of MPI.
- 637.9 Access to U.S. Army facilities and records.
- 637.10 Authority to apprehend or detain.
- 637.11 Authority to administer oaths.
- 637.12 Legal considerations.
- 637.13 Retention of property.
- 637.14 Use of National Crime Information Center (NCIC).
- 637.15 Polygraph activities.